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Attorneys for Plaintiffs  
 ARUTYUN MARSIKYAN and PAYAM  
 SAADAT, individually and on behalf of a class of  
 similarly situated individuals

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

ARUTYUN MARSIKYAN and PAYAM  
 SAADAT, individually and on behalf of a  
 class of similarly situated individuals,

Plaintiffs,

v.

MERCEDES-BENZ USA, LLC and  
 DOES 1-500, inclusive,

Defendants.

NO. CV08-04876 AHM (FMOx)

CLASS ACTION

**ORDER GRANTING  
 PLAINTIFFS' APPLICATION  
 FOR AN AWARD OF ATTORNEY  
 FEES, REIMBURSEMENT OF  
 EXPENSES, AND INCENTIVE  
 AWARD TO THE CLASS  
 REPRESENTATIVE**

1 The Court has granted final approval of the proposed class action settlement  
2 resolving the above action. Pursuant to Rule 23(h) of the Federal Rules of Civil  
3 Procedure, the law firms of Knapp, Petersen & Clarke and the law offices of Robert  
4 L. Starr, appointed by this Court as Class Counsel upon preliminary approval of the  
5 Settlement, have applied for a total award of \$1,500,000 for attorneys' fees, \$35,000  
6 for reimbursement of expenses and an incentive award of \$10,000 for each of the  
7 Class Representative Plaintiffs, payable out of the attorney fee award to counsel for  
8 Plaintiffs. Plaintiffs' counsel's fee application is made pursuant to the Settlement  
9 Agreement reached with MBUSA and under California Civil Code section 1780(e)  
10 of the California Consumers Legal Remedies Act ("CLRA"), one of the claims in  
11 this lawsuit, and the private attorney general doctrine, codified at California Code of  
12 Civil Procedure section 1021.5. The Court, having considered all papers submitted  
13 and oral argument presented, hereby finds and orders as follows:

14 1. The Court finds that Plaintiffs are prevailing plaintiffs under Section  
15 1780( e) and are entitled to an award of attorneys' fees and costs. The Court also  
16 finds that Plaintiffs meet the requirements set forth in Section 1021.5 for an award of  
17 attorneys' fees. Plaintiffs' lawsuit resulted in the enforcement of important public  
18 rights affecting the public's interest, including those underlying California's  
19 consumer protection statutes, while at the same time conferring significant benefits,  
20 both pecuniary and non-pecuniary, on a large class of persons. Further, the financial  
21 burden of private enforcement is such as to make it appropriate to award attorneys'  
22 fees under Section 1021.5. The necessity of pursuing this lawsuit placed a burden on  
23 Plaintiffs out of proportion to their individual stake in the matter.

24 2. Pursuant to the declaration of Stephen M. Harris and supporting exhibits  
25 attached thereto, Class Counsel has spent approximately 2,900 hours in prosecuting  
26 this action. Based on Class Counsel's hourly rates, as presented in the declaration of  
27 Stephen M. Harris, Class Counsel's attorney's fees are \$1,227,484. The Court finds  
28 that these fees are reasonable under the facts and procedural posture of this case.

KNAPP,  
PETERSEN  
& CLARKE

